

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature Second Regular Session - 2012

IN THE SENATE

SENATE BILL NO. 1321

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-111, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE USE OF MONEYS IN THE WINTER FEEDING ACCOUNT, TO REVISE PROVISIONS RELATING TO THE USE OF THE BALANCE OF MONEYS FROM A SPECIFIED SOURCE WHICH WERE NOT DEPOSITED IN THE FEEDING ACCOUNT AND TO REQUIRE THE DEPARTMENT OF FISH AND GAME TO MAKE YEARLY REPORTS TO THE SENATE RESOURCES AND CONSERVATION COMMITTEE AND THE HOUSE RESOURCES AND ENVIRONMENT COMMITTEE DETAILING HOW FUNDS IN THE FEEDING ACCOUNT HAVE BEEN EXPENDED.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 36-111, Idaho Code, be, and the same is hereby amended to read as follows:

36-111. FISH AND GAME SET-ASIDE ACCOUNT. (1) There is hereby established the fish and game set-aside account in the dedicated fund. The account shall have paid into it moneys as follows:

(a) Four dollars (\$4.00) of each steelhead trout or anadromous salmon permit sold. Moneys from this source shall be used for the acquisition, development and maintenance of parking areas, access sites, boat ramps and sanitation facilities in salmon and steelhead fishing areas, for management of and research on steelhead trout and anadromous salmon problems, and for technical assistance with litigation concerning steelhead and anadromous salmon originating in Idaho.

(b) Two dollars (\$2.00) from each combination hunting and fishing license, or each hunting license sold, as provided in sections 36-406 and 36-407, Idaho Code, except that class 4 licenses shall be exempt from this provision. Moneys from this source shall be used for the purposes of acquiring access to and acquiring and rehabilitating big game ranges and upland bird and waterfowl habitats. Unless it is inconsistent with the goals of the commission, it is the intent of the legislature that the commission negotiate lease arrangements as compared with outright purchase of private property.

(c) One dollar and fifty cents (\$1.50) from each antelope, elk and deer tag sold as provided in section 36-409, Idaho Code. Not less than seventy-five cents (75¢) of each one dollar and fifty cents (\$1.50) collected shall be placed in a separate account to be designated as a feeding account. Moneys in this account shall be used exclusively for the purposes of actual supplemental winter feeding of and rehabilitation of winter range for antelope, elk and deer. Moneys shall be used solely for the purchase of blocks, pellets and hay for such winter feeding purposes. The balance of moneys realized from this source, which were not deposited in the feeding account, up to a maximum of two hundred thousand dollars (\$200,000), shall ~~may~~ be used for the control of

1 depredation of private property by antelope, elk and deer and control
2 of predators affecting antelope, elk and deer. Any balance in excess
3 of two hundred thousand dollars (\$200,000) shall be transferred to the
4 feeding account. Moneys in the feeding account shall not be used for any
5 purpose other than winter feeding as herein specified ~~until the total~~
6 ~~funds in the account, including any interest earnings thereon, equal or~~
7 ~~exceed four hundred thousand dollars (\$400,000).~~ Moneys in the feeding
8 account may not be expended except upon the declaration of a feeding
9 emergency by the director of the department of fish and game. Such
10 emergency need not exist on a statewide basis but can be declared with
11 respect to one (1) or more regions of the state. The department shall
12 by rule establish the criteria for a feeding emergency. The department
13 shall submit a yearly report to the senate resources and conservation
14 committee and the house resources and environment committee of the leg-
15 islature on or before the 31st day of July, detailing how funds in the
16 feeding account have been expended during the preceding fiscal year.

17 (d) Those amounts designated by individuals in accordance with section
18 63-3067A(3) (a), Idaho Code, and from fees paid under the provisions of
19 section 49-417, Idaho Code. Moneys from these sources shall be used for
20 a nongame management and protection program under the direction of the
21 fish and game commission.

22 (e) Money derived from the assessment of processing fees. Moneys de-
23 rived from this source shall be used as provided in section 36-1407,
24 Idaho Code.

25 (2) Moneys in the fish and game set-aside account and the feeding ac-
26 count established in subsection (1) (c) of this section are subject to appro-
27 priation, and the provisions of section 67-3516, Idaho Code. Moneys in the
28 fish and game set-aside account and the feeding account shall be invested
29 by the state treasurer in the manner provided for investment of idle state
30 moneys in the state treasury by section 67-1210, Idaho Code, with interest
31 earned on investments from each account to be paid into that account.